IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

COMPANY PEITION NO.107 OF 2007
WITH
COMPANY APPLICATION NO.89 OF 2007
WITH
COMPANY PETITION NO.108 OF 2007
WITH
COMPANY APPLICATION NO.90 OF 2007

C.P. 107/07 :

London Pilsner Breweries Pvt.Ltd. ...Petitioner.

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C.P. 108/07 :

London Draft Pubs Pvt. Ltd. ...Petitioner.

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Mr.S. Rohit i/b. M/s. Kanga & Co.for the Petitioner.
Mr.C. J. Joy with Ms.Bharti Mahant and Mr.G. C. Mishra for the Regional Director.
Mrs. K.V. Gautam, Dy. Official Liquidator present.

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CORAM : DR. D.Y. CHANDRACHUD, J.

April 27, 2007.

P.C.:

The sanction of the Court is sought to a Scheme of Amalgamation under Sections 391 to 394 of the Companies' Act, 1956. The Scheme of Amalgamation contemplates a merger of three transferor companies with the transferee. One of the

transferors and the transferee have their registered office in the State of Karnataka. The two Petitioners before the Court are transferors registered in the State of Maharashtra.

2. The Petitioner in Company Petition 107 of 2007 is stated to have no secured creditors, while the unsecured creditors consist of group Companies in the same group, namely UB Group. The Petitioner in Company Petition 108 of 2007, similarly, is stated to have no secured creditors, while unsecured creditors are again stated to be the Companies of the said holding group viz., UB Group. The sanction of the Court has been sought subject to the scheme being sanctioned by the Karnataka High Court in the petitions which have been filed by one of the transferors and the transferee there.

3. The Regional Director has no objection to the Scheme of Amalgamation and it has been stated before the Court through Counsel that the scheme as proposed will not adversely affect the public interest or the interest of the shareholders or creditors.

There is no objection to the scheme. In these circumstances, there is no reason why the scheme as proposed should not be sanctioned. The Company Petitions are made absolute in terms of prayer clauses (a) to (e). This shall be subject to the sanction of the scheme being granted by the Karnataka High Court.

4. The petitioner to pay costs of Rs.2500/- each to the Regional Director and the Official Liquidator within four weeks.

5. Filing and issuance of drawn up order is dispensed with.

6. All authorities to act on an ordinary copy of this order duly authenticated by the office of this Court.

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